

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

FILED
AUG 24 1999

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

IN RE:)	CASE NO.: 98-02675-5-ATS
INTERNATIONAL HERITAGE, INC.)	
INTERNATIONAL HERITAGE,)	CASE NO.: 98-02674-5-ATS
INCORPORATED,)	
Address:)	CHAPTER 7
2626 Glenwood Avenue, #200)	
Raleigh, NC 27608)	
)	
TAX ID# 56-1921093)	
)	
Debtor.)	

AMENDED
NOTICE OF APPLICATION OF TRUSTEE FOR AUTHORITY
TO ENTER INTO SETTLEMENT AGREEMENT

TO: THE DEBTOR, ATTORNEY FOR THE DEBTOR, AND OTHER PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN of the Application of Trustee for Authority to Enter into Settlement Agreement with Executive Risk Specialty Insurance Company, Stanley H. VanEtten, Claude W. Savage and Larry G. Smith. According to the proposed settlement, Executive Risk Specialty Insurance Company ("ERSIC") will pay \$1,787,500.00 to Holmes P. Harden, Trustee for International Heritage, Inc. in settlement of Holmes P. Harden, Trustee in Bankruptcy for International Heritage, Inc. v. Executive Risk Specialty Insurance Company, AP# S-99-00015-5-AP (Bankr. EDNC) by which Harden seeks declaratory relief concerning coverage afforded by a directors and officers liability insurance policy ("the policy") issued by ERSIC. ERSIC will also pay \$275,000.00 to Stanley H. VanEtten to resolve Mr. VanEtten's independent claim against ERSIC for coverage under the same directors and officers liability insurance policy. ERSIC will be released from any and all obligations under the policy if the settlement is approved.

An objection to this Application may be filed with the Clerk, United States Bankruptcy Court, Post Office Box 1441, Raleigh, North Carolina 27602, with a copy served on the trustee whose name appears at the bottom of this notice, within twenty (20) days of the date of the mailing of this notice. A hearing on any objections to this Application for Authority to Enter into Settlement Agreement will be held on September 22, 1999 at 9:00 a.m. at the United States Courthouse and Post Office Building, Room 208, 300 Fayetteville Street Mall, Raleigh, North Carolina. (THIS DATE HAS

BEEN EXTENDED FROM THE ORIGINAL HEARING DATE OF SEPTEMBER 1, 1999). Any party requesting a hearing shall appear at said hearing in support of such request or he may be assessed with costs.

FURTHER NOTICE IS HEREBY GIVEN that if a response and a request for a hearing is filed by the Debtor or other party in interest named herein in writing within the time indicated, a hearing will be conducted on the Application and all interested parties will be notified accordingly. If no request for a hearing is timely filed, the Court may rule on the Application and response thereto ex parte without further notice.

DATE OF NOTICE: August 21st, 1999.

MAUPIN TAYLOR & ELLIS, P.A.

BY: 

Holmes P. Harden, Trustee

N. C. State Bar No. 9835

Post Office Drawer 19764

Raleigh, NC 27619-9764

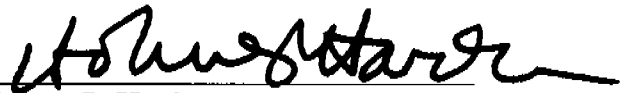
Telephone: 919/981-4000

Facsimile: 919/981-4300

CERTIFICATE OF SERVICE

I, Holmes P. Harden, Chapter 7 Trustee, do hereby certify that the foregoing **AMENDED NOTICE OF APPLICATION OF TRUSTEE FOR AUTHORITY TO ENTER INTO SETTLEMENT AGREEMENT** was served upon all parties of record by mailing a copy thereof to each such party at the address indicated below with its proper postage attached and deposited in an official depository under the exclusive care and custody of the United States Post Office, in Raleigh, North Carolina, and by public notice via 888/895-8385 and 919-981-4033 and www.nceb.uscourts.gov. And by e-mail on the 24th day of August, 1999.

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SEE ATTACHED MAILING MATRIX

SEE ATTACHED E-MAIL LIST

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DIRECT DIAL #: 919-981-4011

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DATE: **August 24, 1999**

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